

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MILTON “BUTCH” JONES,

Petitioner,

v.

Criminal Case No. 01-80571

Civil Case No. 11-14381

Honorable John Corbett O’Meara

UNITED STATES OF AMERICA,

Respondent.

/

ORDER DENYING CERTIFICATE OF APPEALABILITY

This matter came before the court on petitioner Milton “Butch” Jones’ March 19, 2013 motion for certificate of appealability. On August 14, 2012, the court entered an order that, among other things, denied petitioner Jones’ expanded motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255. It appears that this filing is a motion for reconsideration of that order, as it again alleges that petitioner Jones was denied due process, that the Speedy Trial Act was violated, and his constitutional rights were violated because of ineffective assistance of counsel.

Pursuant to Local Rule 7.1(h)(1), a motion for reconsideration must be filed within 14 days after entry of the order. Therefore, the motion is untimely.

Furthermore, a motion for reconsideration “that merely present[s] the same issues ruled upon by the court, either expressly or by reasonable implication” will not be granted. LR 7.1(h)(3). The issues presented in the motion were ruled upon by the court in its August 14, 2012 opinion and order.

ORDER

It is hereby **ORDERED** that petitioner Jones' March 19, 2013 motion for certificate of appealability is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: July 25, 2013

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, July 25, 2013, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager